

**REMARKS**

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested. Filed herewith is a petition for a one month's extension of time along with the appropriate fee.

The Examiner had objected to the drawings of the instant application, however upon review of the specification and drawings, it appears that typographical errors in the specification resulted in confusion, which applicant regrets. Applicant has amended paragraph [0032] to delete reference numeral "100" and to change reference numeral "250" to -205—which is accurately reflected in the drawing Figures. Thus, applicant believes that no correction to the drawings is necessary in light of the amendments to the specification. Withdraw of the objection to the drawings is respectfully requested.

Claims 1 through 3 and 5 through remain pending in this application. Claims 4 and 9-18 have been cancelled.

Claims 1-8 have been rejected under 35 USC 112. The rejections are believed moot in light of the amendments made to the claims.

Claims 5 and 6 have been rejected under 35 USC 112. Applicant has amended the claims to indicate that the step of providing data related to presenter is provided after the step of obtaining the information (claim 5); and that the step of merging the presenter data with the event data occurs after the step of obtaining the event data. It is believed that the rejection under 112 is now moot.

Claim 1 has been further amended to indicate that the presentation folder blanks and sheet stocks are provided from different or individual supplies or stocks. Support for this amendment is found in paragraph [0035], the abstract, and other locations throughout the application. It is believed that this amendment further distinguishes the invention over the prior art of record as will be explained herein.

Claims 1-6 have been rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Gentile et al. (4,636,179). Reconsideration and withdraw of the rejection is earnestly solicited.

The Examiner has the burden under 35 U.S.C. §103 to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). Three criteria must be satisfied to establish a *prima facie* case of obviousness. First, the Examiner must show that some objective teaching in the prior art or some knowledge generally available to one of ordinary skill in the art would teach, suggest, or motivate one to modify a reference or to combine the teachings of multiple references. *Id.* Second, the prior art can be modified or combined only so long as there is a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Third, the prior art reference or combined prior art references must teach or suggest all of the claim limitations. *In re Rouffet*, 149 F.3d 1350, 1357, 47 USPQ2d 1453, 1457-58 (Fed. Cir. 1998).

In performing the obviousness inquiry under 35 U.S.C. §103, the Examiner must avoid hindsight. “[O]bviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination.” *In re Bond*, 910 F.2d 831, 834, 15 USPQ2d 1566, 1568

(Fed. Cir. 1990), *reh'g denied*, 1990 U.S. App. LEXIS 19971 (Fed. Cir. 1990). The best defense against hindsight-based obviousness is to stringently require a showing of a teaching or motivation to combine the prior art references. *Ecolochem, Inc. v. Southern California Edison Co.*, 227 F.3d 1361, 1371, 56 USPQ2d 1065, 1073 (Fed. Cir. 2000).

The question of whether the requisite suggestion or motivation is present cannot be resolved on the basis of subjective belief, unknown authority, or general conclusions about what is “basic knowledge” or “common sense.” *In re Lee*, 61 USPQ2d 1430, 1434-35 (Fed. Cir. 2002). Rather, a decision as to whether multiple references can be combined “must be based on objective evidence of record.” *Id.*

Furthermore, the mere fact that knowledge *may* have been within the skill of an ordinary artisan does not in and of itself make it so, absent clear and convincing evidence of such knowledge. *Smiths Industries Medical Systems Inc. v. Vital Signs, Inc.*, 183 F.3d 1347, 1356, 51 USPQ2d 1415, 1421 (Fed. Cir. 1999).

Applicant’s claims are specific to particular combinations and structures to serve a particular function. The nature and purpose of the products defined by the claims are essential consideration in measuring unobviousness. The present invention enables the manufacture of personalized presentation folders using high quality printing devices which are limited in the types of materials (widths, thicknesses) that may be used to print on. That is, the infeed of the printer has a limited sheet size and can typically only handle sheets having a uniform thickness, which too, must be below a certain range.

Gentile et al. relate to a conventional presentation blank, in which a portion of the blank is folded over onto the blank face to make a pocket for the folder. This is exactly the type of prior art over which the present invention is an improvement. Such blanks are typically too large to be handled by these high speed, high quality imaging devices (due

to the width of the imaging area and feeding apparatus of the printer) and hence in short run applications, manufacturers having such printing equipment would be unable to produce presentation folders from a large blank. The present invention seeks to provide a unique method by which to create a presentation folder within the restraints of this type of equipment by supplying individual sheets and blanks from separate or different sources and then printing and combining the two to make a final, individualized presentation folder.

Gentile et al do not teach or suggest the provision of materials for forming a presentation folder from individual sources. The Gentile et al folder is formed from a single blank, a portion of which is folded onto itself to create a pocket. It would not be obvious to modify Gentile et al. to provide an individual sheet stock to create a pocket for a presentation blank, as Gentile et al. is self contained, that is, all of the material needed to form the presentation folder of Gentile et al is provided on the single blank of material, and the pockets are formed by folding over a portion of the blank onto another portion of the blank. Thus, there is no need to provide another individual sheet to form a pocket for a presentation folder or to connect or attach that separate sheet, which has been formed into an individual pocket, to the blank. As such, Gentile et al simply do not teach or suggest the limitations recited in the claims, as amended, as there is no disclosure of the use of individual sheets and individual blanks in Gentile et al. to form a presentation folder.

There are many advantages to the present invention in addition to those set forth above, in that the present invention allows other users to take advantage of "commodity" supplies, standard sizes of stocks of materials, in order to make presentation folders and not have to purchase larger, specialty blank materials. The present invention also provides a method for manufacturing presentation folders which does not create a significant amount of waste from having to die cut the large blanks to create the outline

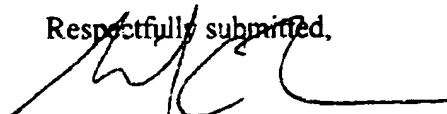
of the presentation folder. The die cut areas then being removed and discarded. Instead, by practicing the present invention, the user can essentially use most of the material provided by the individual sheets or stocks and little or no die cutting is necessary.

Claims 7 and 8 have been rejected by the Examiner under 35 U.S.C. 103(a) as being unpatenable over Gentile et al. (4,636,179) in view of Kachel et al (5,156,270). Reconsideration and withdraw of the rejection is earnestly solicited.

While the above-mentioned combination fails in view of the lack of teachings arising out of Gentile et al. relating to the use of individual sheets and individual blanks, the combination further fails with respect to claims 7 and 8 in that Kachel et al. provides a series of unprinted, flat folders in a box, as opposed to personalized, completed presentation folders formed from individual sheets and blanks.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,



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